

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

**APR 14 2000**

**FILED**

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE,

## CONSENT ORDER

PETITIONER,

VS.

CAUSE NO. A-1396

ROGER D. BALL,

RESPONDENT.

MAY 10, 2000 ACCT# 8521 \$300.00  
NO-INVOICE 505-54-8012 TRAN# 730016  
BALL, ROGER D

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its representative, Jennifer Stehlik Ladman, and Roger D. Ball, ("Respondent"), mutually stipulate and agree as follows:

## JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb.Rev.Stat. §44-101.01 and §44-4001, et seq.

2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto.

## STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Roger D. Ball, on March 3, 2000. A copy of the petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.

2. The petition alleges that Respondent violated Neb.Rev.Stat. §44-4028(17) as follows:

- a. On or about December 3, 1999, an Insurance Investigator of the Consumer Affairs Division, sent Respondent a certified request that he provide the Nebraska Department of Insurance with an explanation regarding a complaint that had been filed against him with the Department;
- b. Respondent received the correspondence of the Insurance Investigator as evidenced by the signature of Respondent's agent, Gail W. Hunt, dated December 6, 1999, on the return receipt card that was returned to the Nebraska Department of Insurance;
- c. Respondent failed to respond to the Department within fifteen days after receiving the aforementioned inquiry;
- d. On or about December 30, 1999, an Insurance Investigator of the Consumer Affairs Division, sent Respondent a certified request that he provide the Nebraska Department of Insurance with an explanation regarding a complaint that had been filed against him with the Department;
- e. Respondent received the correspondence of the Insurance Investigator as evidenced by the signature of Respondent's agent, Dwight Eveland, dated December 31, 1999, on the return receipt card that was returned to the Nebraska Department of Insurance;
- f. Respondent failed to respond to the Department within fifteen days after receiving the aforementioned inquiry;
- g. On or about January 24, 2000, an Insurance Investigator of the Consumer Affairs Division, sent Respondent a certified request that he respond to the previous Department correspondence;
- h. Respondent received the correspondence of the Insurance Investigator as evidenced by Respondent's signature, dated January 27, 2000, on the return receipt card that was returned to the Nebraska Department of Insurance; and
- i. Respondent failed to respond to the Department within fifteen days after receiving the aforementioned inquiry.

3. The Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits the allegations contained in the Petition and restated in Paragraph #2 above.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb.Rev.Stat. §44-4028(17).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, Roger D. Ball, that Respondent shall pay an administrative fine of \$300 on or before 30 days from the date the Director signs this Order. It is further ordered that if full payment is not received on or before 30 days from the date the Director signs this Order, grounds shall exist for a hearing to be called wherein Roger D. Ball shall show cause why his Nebraska resident insurance agent's license should not be revoked. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Respondent or the Department to make application for such further orders as may be necessary.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his or her signature below.

Jennifer Stehlik Ladman  
Representative for Nebraska  
Department of Insurance  
941 "O" Street, Suite 400  
Lincoln, Nebraska 68508  
(402) 471-2201

3-31-00  
Date

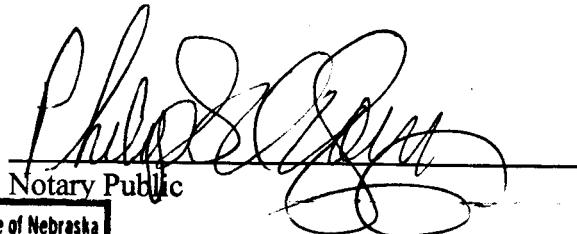
Roger D. Ball  
Roger D. Ball  
Respondent  
3-29-2000  
Date

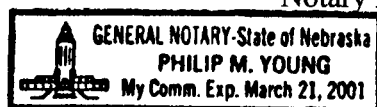
\_\_\_\_\_  
Attorney for Respondent

\_\_\_\_\_  
Date

State of Nebraska )  
County of Douglas ) ss.


On this 30 day of April, 2000, Roger D. Ball personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.

  
Notary Public



I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Roger D. Ball, Cause No. A-1396.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
L. TIM WAGNER  
Director of Insurance

April 11, 2000  
Date

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent at Respondent's registered address of First Nebraska Agency, Inc., 8258 Hascall Street, Suite 200, Omaha, Nebraska 68124, by certified mail, return receipt requested on this 11<sup>th</sup> day of April, 2000.

